

ORIGINAL

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ORIGINAL  
FILE

May 11, 1992

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HAND DELIVER

Donna R. Searcy  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554  
Office of the Secretary

ATTN: The Honorable Edward J. Kuhlmann,  
Administrative Law Judge

RE: Central Florida Educational Foundation, Inc., et al.,  
MM Docket No. 92-33, Union Park, Conway, Oak Hill, and  
Lake Mary, Florida

Dear Ms. Searcy:

Transmitted herewith on behalf of Central Florida Educational Foundation, Inc. is an original and six (6) copies of its outline of material evidence to be submitted at the hearing in the above-referenced docketed proceeding pursuant to the Presiding Officer's Memorandum Opinion and Order., FCC 92M-496 (released April 27, 1992).

Should any question arise concerning this matter, kindly contact the undersigned directly.

Respectfully submitted,

MAY & DUNNE, CHARTERED

By: Joseph E. Dunne III  
Joseph E. Dunne III  
Attorney for Central Florida  
Educational Foundation, Inc.

JED:jrfA41

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BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

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MAY 11 1992

Federal Communications Commission  
Office of the Secretary

In re Applications of	)	MM Docket No. 92-33
CENTRAL FLORIDA EDUCATIONAL	)	
FOUNDATION, INC.	)	File No. BPED-881207MA
Channel 203C3	)	
Union Park, Florida	)	
BIBLE BROADCASTING NETWORK, INC.	)	File No. BPED-890412MJ
Channel 202C2	)	
Conway, Florida	)	
SOUTHWEST FLORIDA COMMUNITY RADIO,	)	File No. BPED-891127MC
INC.	)	
Channel 202C2	)	
Conway, Florida	)	
MIMS COMMUNITY RADIO, INC.	)	File No. BPED-891127MD
Channel 202C1	)	
Oak Hill, Florida	)	
HISPANIC BROADCAST SYSTEM, INC.	)	File No. BPED-891128ME
Channel 202C3	)	
Lake Mary, Florida	)	
For Construction Permit for a New	)	
Noncommercial Educational FM Station	)	
TO: The Honorable Edward J. Kuhlmann		
Administrative Law Judge		

**OUTLINE OF EVIDENCE SUBMITTED UNDER ISSUES 2 AND 3**

Central Florida Educational Foundation, Inc. (CFEF), by its undersigned attorney, hereby submits this "Outline of Evidence Submitted Under Issues 2 and 3," as required by the Presiding Officer's Memorandum Opinion and Order, FCC 92M-486 (released April 27, 1992). Where denoted by an asterisk \*, the numbers in the outline correspond to the numbers of anticipated hearing exhibit.

## **I. ISSUE 2**

### **1) Issue 2(a) - Areas and Populations**

The applicants have jointly retained a broadcast consulting engineer, Kevin Fisher of Smith and Powstenko, to prepare a joint exhibit on areas, populations and existing noncommercial services in the applicants' proposed service area for submission at the hearing.

### **2) Issue 2(b) - Share-time**

In accordance with the Presiding Officer's Memorandum Opinion and Order, CFEF will participate in the joint submission of evidence concerning a share-time arrangement on May 28.

## **II. ISSUE 3 - Standard Comparative NCE Issue**

### **\*1) CFEF Legal Qualifications and Corporate Structure**

This exhibit will describe CFEF's corporate structure and purposes.

### **\*2) CFEF's Educational and Cultural Objectives and Its Proposed Methods to Meet Those Objectives**

(a) Provide instructional programming for credit with Circle Community School and other local educational institutions.

(1) Provide instructional programming for Circle Community School, Stetson University, Reform Theological Seminary, Seminole County School District, and others.

(2) Provide programming on SCA for Circle Community School.

(3) Describe need for programming.

(b) Provide students with an opportunity for internships to receive hands-on training for credit as part of their academic program.

- (1) Internship opportunities will be available for students of Circle Community School, Stetson University, Forest Lake Academy and other local institutions.
  - (2) Describe need for such internships.
- (c) Provide local transmission service to Union Park.
  - (1) Broadcast of local news, public affairs, and other programs focussing on Union Park, and meeting the needs of that community.
  - (2) Describe need for programming.
- (d) Provide quality Hispanic/Spanish language programming and Spanish language informational programming to service area, especially at night.
  - (1) Describe Spanish-language programming proposed.
  - (2) Describe proposal for full-time Spanish-language programming on station subcarrier.
  - (3) Describe local sources for assistance in production of Spanish-language programming
  - (4) Describe need for such programming. CFEEF will submit an exhibit showing the number of Hispanics within its proposed service area, and within the proposed service area of the other applicants.
  - (5) Describe CFEEF skills, attributes and resources necessary to produce and acquire such programming.

- (e) Provide information on home schooling to parents within service area.
  - (1) Describe tie-in with Circle Community School home school program.
  - (2) Describe need for such programming.
- (f) Provide outlet for Christian educational and instructional programming.
  - (1) In addition to local instructional/educational programming, CFEF will provide educational/instructional programming received via satellite from Moody Bible Institute and Northwest College Network.
  - (2) Describe need for proposed programming.
- (g) Provide support for families and family life through the broadcast of programming responsive to and meeting the personal and emotional needs of families.
  - (1) Describe local programming responsive to family problems and needs.
  - (2) Describe network programming responsive to family problems and needs.
  - (3) Describe need for programming.
- (h) Provide programming responsive to ascertained community needs.
  - (1) Describe the needs of the community.
  - (2) Describe planned programming responsive to such needs.

\*3) CFEF Methods of Determining Community Needs

- (a) Community leader surveys conducted for WTLN, reviewed by CFEF principals.
- (b) Production of and participation in daily public affairs programming on WTLN (AM/FM) by CFEF principals where community problems, needs and interests are discussed.
- (c) Participation of WTLN and CFEF principals at local "Family Expo" for five years, in remote broadcasts at the Crisis Pregnancy Center, and through participation in local events such as the food drive for the hungry, etc., at which CFEF principals have been exposed to and discussed with area residents the problems, needs and interests of the community.
- (d) Monitoring other media in the market as part of production of daily public affairs shows.
- (e) Community leader interviews conducted by CFEF principals.

\*4) CFEF Management Structure, Means and Methods of Implementing Cultural and Educational Objectives

- (a) Two of three CFEF trustees have formulated proposals and proposed to work at the station full time to ensure that CFEF's proposals are implemented.
- (b) CFEF principals have a history of participation as principals of educational institutions in the service area.
- (c) A CFEF principal is a member of the board of directors of an educational institution whose programming will be broadcast on the proposed station and whose students will be working as interns at the station as part of CFEF's proposal.

- (d) CFEF principals have a history of involvement with local educational institutions
  - (e) CFEF principals have participated both as instructors and supervisors in radio internship programs with a variety of educational institutions in the service area.
  - (f) CFEF principals have produced local news, public affairs, religious and other programming in the service area previously, and have also produced and acquired local and other spanish-language programming previously.
- \*5) CFEF's principals have compiled an excellent past broadcast record in the ownership and management of stations in the proposed station's service area.

CFEF will submit evidence concerning the outstanding record of broadcast service compiled by Thomas Moffitt, the general manager of WTLN (AM/FM) and James Hoge, the director of engineering at WTLN.

This evidence will show that WTLN broadcasts at least one-and-a-half hours Monday through Friday of locally produced public affairs programming specifically designed to be responsive to the problems, needs and interests of the community, and that even more public affairs programming is broadcast on the week-ends, including a program focussing on the problems created by sexual abuse.

WTLN is a very active sponsor of community events, including serving as one of the sponsors for the recently concluded food drive for the hungry which was, upon information and belief, one of the largest and most successful food drives in Florida history. For the last five years WTLN has sponsored and organized a "Family Expo," a fair where social service agencies, religious ministries, counselling centers and other business and service agencies serving the needs of the family, are gathered in one place to distribute information to those who attend. WTLN has recently sponsored and organized a city-wide mental health clinic produced in conjunction with the Mirith-Meyer Clinic. WTLN has organized, in cooperation

with the Orlando SunRays professional baseball team, a baseball skills clinic for junior high school students and their fathers where the students and their fathers were taught not only fundamental baseball skills, but also listened to professional baseball players talking about the dangers of alcohol and drug abuse, and other teen problems.

WTLN has sponsored and organized a high school seminar on sexual abuse open to all city students following the execution of Theodore Bundy. This seminar, which encouraged the active participation and questions of students, was recorded on tape delay and then broadcast on WTLN.

In addition to its other community based activities, WTLN also publishes a newsletter for its supporters in which it runs free ads for the unemployed.

\*6) CFEF Proposed Program Schedule

A complete program schedule for CFEF's proposed station will be submitted.

\*7) Biographical Data on CFEF President/Trustee - James A. Hoge

Biographical data on Mr. Hoge will show his long past broadcast experience and his residence within the service area providing evidence of his ability to implement CFEF's plans and proposals.

\*8) Biographical Data on CFEF Trustee, Thomas H. Moffitt, Jr.

Biographical data on Mr. Moffitt will show his long past broadcast experience and his residence within the station's proposed service area providing evidence of his ability to implement CFEF's plans and proposals.




\*9) CFEF Auxiliary Power Proposal

CFEF proposes to install an auxiliary generator at its studio site and has secured agreement of WCPX to provide auxiliary power at the transmitter site.

Respectfully submitted,

**MAY & DUNNE, CHARTERED**

By:   
Joseph E. Dunne III  
Attorney for Central Florida  
Educational Foundation, Inc.

**MAY & DUNNE, CHARTERED**

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Washington, D.C. 20007  
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May 11, 1992

**CERTIFICATE OF SERVICE**

I, Glinda M. Corbin, a secretary in the law offices of May & Dunne, Chartered, hereby certify that I have caused to be sent this 11h day of May 1992 via first class U.S. mail, postage prepaid, a true and correct copy of the foregoing OUTLINE OF EVIDENCE SUBMITTED UNDER ISSUES 2 AND 3 to the following:

\*The Honorable Edward J. Kuhlmann  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W., Room 220  
Washington, D.C. 20554

\*James Shook, Esq.  
Hearing Division, Mass Media Bureau  
Federal Communications Commission  
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By: Glinda M. Corbin  
Glinda M. Corbin

\*Hand Deliver